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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,244	09/12/2003	Lars Severinsson	03370-P0056A	8696
24126	7590	10/03/2005	EXAMINER	
ST. ONGE STEWARD JOHNSTON & REENS, LLC			KRAMER, DEVON C	
986 BEDFORD STREET			ART UNIT	
STAMFORD, CT 06905-5619			PAPER NUMBER	

3683

DATE MAILED: 10/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

*He*

**Office Action Summary**

Application No.

10/661,244

Applicant(s)

SEVERINSSON, LARS

Examiner

Devon C. Kramer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) 5, 11, 13 and 14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-10, 12 and 15-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

- 1) Claims 5, 11 and 13-14 are objected to because of the following informalities:

The above claims lack the correct status identifier. The claims recite, "previously presented" and should be --withdrawn--. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

- 2) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- 3) Claims 1-4, 6, 9, 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Momoncheck (SU 1316881) in view of Rastetter et al (4463481).

In re claims 1-4, 6, 9, 15-17, Momoncheck provides a parking lock (13, 8) for a brake of a vehicle, the lock surrounding a piston rod (14) of a service brake actuator comprising an electrically actuated locking means (abstract), the parking lock unit comprises a magnetic housing, enclosing an electromagnet and a jaw (8), movable in a radial direction in the parking lock unit. Momoncheck lacks the teaching of the electromagnet moving a number of jaws.

Rastetter et al teaches moving a number of jaws (6) by used to lock a shaft (28).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the jaw device of Momoncheck with multiple jaw devices as

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taught by Rastetter et al since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. St. Regis Paper CO. V. Bemis Co., 193 USPQ 8. Further, by providing a number of jaws, the shaft can be locked in a certain desired position for maintenance or to allow for wear of parts.

4) Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Momoncheck (SU 1316881) in view of Rastetter et al (4463481) and further in view of Rick (6000489).

Momoncheck as modified by Rastetter et al lacks the teaching of teeth on jaw and shaft.

Rick teaches teeth on a jaw member and on a shaft.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the jaws and shaft of Momoncheck as modified by Rastetter with teeth as taught by Rick merely to provide a positive lock on the shaft and to prevent possible slipping.

5) Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Momoncheck (SU 1316881) in view of Rastetter et al (4463481) further in view of Rick (6000489) and further in view of Stoll (4699042).

Rick teaches grooves in the form of threads on the jaws, but lacks grooves in the form of threads on the piston rod. Rastetter et al lacks the teaching of grooves on the piston rod.

Stoll teaches grooves in the form of threads (32) on the piston rod.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the grooves of Momoncheck as modified by Rastetter et al and Rick in the form of threads as taught by Stoll to provide a means to lock the shaft from axial movement in any position.

6) Claims 10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Momoncheck (SU 1316881) in view of Rastetter et al (4463481) and further in view of Nemeth (6044934).

Momoncheck as modified by Rastetter et al lacks the teaching of a return spring, but Rastetter teaches a spring to urge the jaws to clamp the spring or radially inward.

Nemeth teaches a spring to urge a jaw member radially outward.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the spring of Momoncheck as modified by Rastetter et al merely to release the brake in the absence of pressure to current.

7) Claims 1-4, 6-7, 9, 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Momoncheck (SU 1316881) in view of Rick (6000489).

In re claims 1-4, 6-7, 9, 15-16, Momoncheck provides a parking lock (13, 8) for a brake of a vehicle, the lock surrounding a piston rod (14) of a service brake actuator comprising an electrically actuated locking means (abstract), the parking lock unit comprises a magnetic housing, enclosing an electromagnet and a jaw (8), movable in a

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radial direction in the parking lock unit. Momoncheck lacks the teaching of the electromagnet moving a number of jaws.

Rick teaches moving a plurality of jaws (26) by used to lock a shaft (28).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the jaw device of Momoncheck with multiple jaw devices as taught by Rick since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper CO. V. Bemis Co.*, 193 USPQ 8. Further, by providing a number of jaws, the shaft can be locked in a certain desired position for maintenance or to allow for wear of parts.

8) Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Momoncheck (SU 1316881) in view of Rick (6000489) or Rastetter et al (4463481) and further in view of Stoll (4699042).

Rick teaches grooves in the form of threads on the jaws, but lacks grooves in the form of threads on the piston rod. Rastetter et al lacks the teaching of grooves on the piston rod.

Stoll teaches grooves in the form of threads (32) on the piston rod.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the grooves of Momoncheck as modified by Rick or Rastetter

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et al in the form of threads as taught by Stoll to provide a means to lock the shaft from axial movement in any position.

9) Claims 1-4, 6-7, 10, 12, 15, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Momoncheck (SU 1316881) in view of Nemeth (6044934).

In re claims 1-4, 6-7, 10, 12, 15, Momoncheck provides a parking lock (13, 8) for a brake of a vehicle, the lock surrounding a piston rod (14) of a service brake actuator comprising an electrically actuated locking means (abstract), the parking lock unit comprises a magnetic housing, enclosing an electromagnet and a jaw (8), movable in a radial direction in the parking lock unit. Momoncheck lacks the teaching of the electromagnet moving a number of jaws.

Nemeth teaches moving a number of jaws (9) to lock a shaft (28) with return springs (18) to urge the jaws radially outward.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the jaw device of Momoncheck with multiple jaw devices as taught by Nemeth since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper CO. V. Bemis Co.*, 193 USPQ 8. Further, by providing a number of jaws, the shaft can be locked in a certain desired position for maintenance or to allow for wear of parts.

### ***Response to Arguments***

10) Applicant's arguments filed 7/20/05 have been fully considered but they are not persuasive. Please note the new rejections above due to the amendment of claim 1.

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Applicant argues that the teeth of Rick cannot be considered jaws. Please note that the teeth of Rick meet the definition of jaws. Please note that if applicant were to claim "a plurality of jaw members", it would overcome the reference to Rick. Further applicant argues that Nemeth does not provide clamps that move in the radial direction. Please note that a portion of the jaws of Nemeth move in a radial direction in order to come into contact with the shaft.

***Conclusion***

**11) THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

**12)** Any inquiry concerning this communication or earlier communications from the examiner should be directed to Devon C. Kramer whose telephone number is 571-272-7118. The examiner can normally be reached on Mon-Fri 8-4.



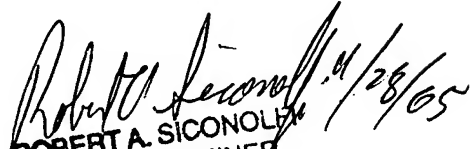
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Marmor can be reached on 571-272-7095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Devon C Kramer  
Examiner  
Art Unit 3683

DK

  
ROBERT A. SICONOLFI  
PATENT EXAMINER